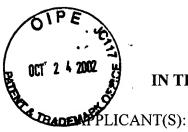
1-14-02 20/P/Dr.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Albert K. Chin

APPLICATION NO.:

09/635,345

FILING DATE:

August 9, 2000

TITLE:

Apparatus and Methods for Subxiphoid Endoscopic Access

EXAMINER:

Thomas C. Barrett

GROUP ART UNIT:

3738

RECEIVED

ATTY. DKT. NO.:

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CERTIFICATE OF MAILING ECHNOLOGY CENTER R3700

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

By:

ALBERT C. SMITH, Reg. No.: 20,355

COMMISSIONER FOR PATENTS WASHINGTON, DC. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449/PTO-8A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry
into the national stage of an international application, or before the mailing
date of a first office action on the merits, whichever event last occurred;

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	before the mailing of a first official action after the filing of a request for									
	continued examination (RCE) under 37 CFR § 1.114;									
\boxtimes	after three months of the filing date of this national application or the da									
	of enti	of entry of the national stage in an international application, or after the								
	mailin	mailing date of the first official action on the merits, whichever event last								
	occurred, but before the mailing date of the first to occur of either: (1) a									
	final a	final action under 37 CFR §1.113; or (2) an action that otherwise closes								
	prosecution in the application, and:									
	\boxtimes	attacl	ned hereto is the fee set forth under 37 CFR §1.17(p) for							
		subm	ission of this Information Disclosure Statement under 37							
		CFR.	§ 1.97(c); OR							
		Appli	icant certifies pursuant to 37 CFR § 1.97(e) that:							
			each item of information contained in this Information							
			Disclosure Statement was first cited in a communication							
			from a foreign patent office in a counterpart foreign							
			application not more than three months prior to the filing of							
			this Statement; OR							
			no item of information contained in this Information							
			Disclosure Statement was cited in a communication from a							
			foreign patent office in a counterpart foreign application							
			and, to the knowledge of the person signing this							
			certification after making reasonable inquiry, no item of							
			information contained in this Statement was known to any							
			individual designated under 37 CFR § 1.56(c) more than							
			three months prior to the filing of this Statement;							
	befor	e the pa	syment of the issue fee but after the mailing date of the first to							
	occui	r of eith	er: (1) a final action under 37 CFR § 1.113; or (2) an action							
	that o	otherwis	se closes prosecution in the application, and:							
		Applicant certifies pursuant to 37 CFR. § 1.97(e) that:								
			each item of information contained in this Information							
			Disclosure Statement was cited in a communication from a							
			foreign patent office in a counterpart foreign application not							
			more than three months prior to the filing of this Statement;							
			or							
			no item of information contained in this Information							
			Disclosure Statement was cited in a communication from a							

				foreig	n patent office in a counterpart foreign application		
				and, to	o the knowledge of the person signing this		
				certifi	ication after making reasonable inquiry, no item of		
				inforn	nation contained in this Statement was known to any		
				indivi	idual designated under 37 CFR § 1.56(c) more than		
				three	months prior to the filing of this Statement; AND		
					to is the fee set forth under 37 CFR §1.17(p) for		
				submission of	f this Information Disclosure Statement under 37		
				CFR.§ 1.97(c	e); OR		
			after th	e payment of	the issue fee. Applicant request that the information		
					ormation Disclosure Statement be placed in the file		
					§ 1.97(i), although the information may not be		
				ered by the US			
		This a		-	er 35 U.S.C. § 120, on the earlier filing date of prior		
					TION NUMBER], filed on [FILING DATE], and the		
		referen	ices cite	d therein are h	nereby referenced, but are not required to be provided		
in this application under 37 CFR § 1.98(d).							
	Each item of information contained in this Information Disclosure Stater						
cited in a communication from a foreign patent office in a counterpart ap					om a foreign patent office in a counterpart application,		
					not received by any individual designated in 37 CFR		
		§ 1.56	(c) more	than thirty da	ays prior to the filing of this Information Disclosure		
	Statement. 37 CFR § 1.704(d).						
		Applic	ant subi	nits that no fe	e is required for the consideration of this Information		
		Disclosure Statement.					
	Consideration of the listed references and favorable action are solicited.						
					Respectfully submitted,		
					ALBERT KCHIN		
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D (1		ا م	0/00		Bu Q.C. Smeith		
Dated:		10	9102		By: Albert C. Smith, Reg. No.: 20,355		
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					Palo Alto, CA 94306 Tel.: (650) 858-7296		
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